

REMARKS

Claims 1-47 are pending in this application. Claims 1, 11, 19, 32, 45, 46 and 47 are independent claims. Claims 1, 19 and 32 are amended. Claims 45-47 are added. No new matter is involved. Clear support for the amendments and for the new claims is found throughout Applicants' originally filed disclosure including, for example, in Figs. 6, 7, 8 and 9.

Reconsideration of the application, as amended, is respectfully requested.

35 U.S.C. §112, First Paragraph Rejection

Claims 1-44 are rejected under 35 U.S.C. §112, first paragraph for failing to comply with the written description requirement. This rejection is respectfully traversed.

The Office Action alleges that support for the exclusionary statements "such that the first main menu items are not displayed in said opened space" in claims 1, 11 and 19 and "such that the main menu items are not displayed in said opened space" in claim 32 are not found in the originally filed application.

The Office Action misquotes the actual language in claims 1, 11 and 19. The Office Action indicates that "main menu items are" (plural) is recited in the claims, whereas what is actually recited in the claims is "main menu item is" (singular).

For at least this reason, the rejection of claims 1, 11, 19 and the claims that depend from claims 1, 11 and 19 is improper and should be withdrawn.

Clear basis for the claimed feature in issue is found in Applicants' original disclosure. For example, originally filed Figs. 6-8 clearly show the claimed feature. Fig. 6 shows five main menu items, the top menu item being "setup." Fig. 7 shows the setup menu expanded. Fig. 7 clearly shows the result of opening a space between the first main menu item (setup) selected from the main menu items and a second main menu item (video) adjacent to the first main menu item such that the first main menu item (setup) is not displayed in said opened space. All that is contained in the opened space is "Screen Source >Auto scan Hook-up CH Add/Del Focus." "Setup", the first main menu item is clearly not shown in the opened space between the first menu item "setup" and the second menu item "Video" that is adjacent to the first menu item in the main menu.

A similar analysis applies to Figs. 8 and 9. It is clear from an inspection of Figs. 6, 7, 8 and 9, that the language in issue, in claims 1, 11, 19 and 32 is fully supported by Applicants' original disclosure, which includes Figs. 6, 7, 8 and 9.

Reconsideration and withdrawal of this rejection is respectfully requested.

35 U.S.C. §102 Rejection

Claims 19-20, 22, 24, 26-31, 39 and 43 have been rejected under 35 U.S.C. §102(e) as being anticipated by USP 6252597 to Lokuge. This rejection is respectfully traversed.

While not conceding the appropriateness of the Examiner's rejection, but merely to advance prosecution of the instant application, Applicants respectfully submit that independent claim 19 has been amended to recite a combination of elements in a method for displaying OSD menu items on a screen, including characterizing the fact, clearly shown in Figs, 6-9, that each main menu item is displayed in a separately delineated space, and that the sub-menu space that is opened between separately delineated adjacent main menu spaces is also separately delineated, and that the first main menu item is not displayed in the separately delineated opened space. Applicants respectfully submit that this combination of elements, as set forth in independent claims 19, is not disclosed by Lokuge.

Inspection of Figs. 4 and 5 of Lokuge, relied on in this rejection, shows that Lokuge retains the main menu heading within the same delineated expanded space that contains the submenu items for a particular main menu item.

For example, computer display (40) has a defined region (46), in which a list (44) of first main menu items (top tier 50) are displayed (see Fig. 4 of Lokuge). A first main menu item "bookmarks" and a second main menu item "email" are in

separately delineated spaces located adjacent to one another. However, when first main menu item, bookmarks, is selected, a separately delineated space is not opened between separately delineated bookmarks and email. Rather, the separately delineated space showing the first main menu item, bookmarks, is expanded. However, that is not what is recited. Accordingly, Lokuge does not anticipate the subject matter recited in claim 19, or claims 20, 22, 24, 26-31, 39 and 43, which depend from claim 19, and this rejection of these claims under 35 U.S.C. §102 is improper and should be withdrawn.

35 U.S.C. §103 Rejection

Claims 1, 2-4, 6, 7, 9-12, 14, 15, 17, 32, 34-38, 40-42 and 44 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Lokuge in view of USP 6539548 to Hendricks et al. (Hendricks). This rejection is respectfully traversed.

While not conceding the appropriateness of the Examiner's rejection, but merely to advance prosecution of the instant application, Applicants respectfully submit that independent claims 1 and 32 have been amended to recite a combination of features in a method for displaying OSD menu items on a screen, including opening a separately delineated space between a first main menu item located in a separately delineated space selected from the main menu items and a second main menu item located in a separately delineated space adjacent to the

separately delineated space of the first main menu item, such that the first main menu item is not displayed in the separately delineated opened space. Claim 32 has been similarly amended. Applicants respectfully submit that these combinations of features as set forth in independent claims 1 and 32 are not disclosed or made obvious by the prior art of record, including Lokuge and Hendricks.

The deficiencies of Lokuge with respect to these separately delineated features are set forth above in the traversal of the rejection of claims 19-20, 22, 24, 26-31, 39 and 43.

Hendricks is only cited as a teaching reference to apply the Lokuge menu display system to a television entertainment video system display. Even assuming, for the sake of argument, that it would be obvious to apply Lokuge in a television entertainment video display, Lokuge, as modified, would not disclose or make obvious, the positively recited features of claims 1 and 32, as amended.

Further, with respect to claim 11, the rejection presents no objective factual evidence to support the conclusion that Lokuge discloses “erasing the displayed at least one sub-menu item and closing the first space when a new main menu item is selected using the item indicator.” The rejection refers to col. 7, lines 8-11 of Lokuge to support this allegation.

The claim step in issue actually recites: “(d) erasing the displayed at least one sub-menu item and closing the first separately delineated opened space when a new main menu item is selected from the main menu items using the item indicator.”

Lokuge discloses in col. 7, lines 8-11, that “[a]lternatively, if the category has already been expanded, a mouse button click contracts the category, and its contents disappear from the display.”

“The mouse button click” disclosed by Lokuge is not used to select “a new menu item” as claimed. Rather, the mouse button click of Lokuge is used to contract a category.

Accordingly, the rejection of claim 11 is incorrect when it states that the claimed “erasing” feature is disclosed in lines 8-11 of col. 7 of Lokuge.

Accordingly, the rejection of claim 11 and dependent claims 12-18 is improper and should be withdrawn.

With regard to dependent claims 2-4, 6-7, 9-10, 12, 14, 15, 17, 34-38, 40-42 and 44, Applicants submit that claims 2-4, 6-7, 9-10, 12, 14, 15, 17, 34-38, 40-42 and 44 depend, either directly or indirectly, from independent claims 1, 11 and 32, which are allowable for the reasons set forth above, and therefore claims 2-4, 6-7, 9-10, 12, 14, 15, 17, 34-38, 40-42 and 44 are allowable based on their dependence from claims 1, 11 and 32. Reconsideration and allowance thereof are respectfully requested.

New Claims

Claims 45-47 have been added. These claims recite the separately delineated space features of the main menu items and of the separately delineated opened sub menu space between main menu items. Applicants

respectfully submit that none of the applied references discloses or suggests the new claims.

Accordingly, allowance of claims 45-47 is respectfully requested.

Conclusion

In view of the above amendments and/or remarks, an issuance of a Notice of Allowance is respectfully requested.

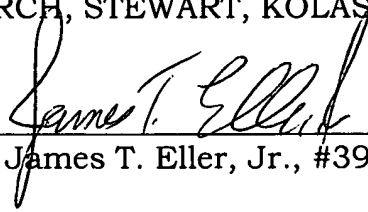
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Robert J. Webster, Reg. No. 46,472, at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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